

# Comparative Analysis of Sidewalk Vending Programs in Other Cities\*

ATTACHMENT 7

City	Austin	Chicago	Houston	Los Angeles	New York	Pasadena	Philadelphia	Portland	San Francisco	Santa Ana	Santa Monica
Agencies Responsible	- Transportation Department	-Commissioner of Business Affairs  -Department of Transportation  -Police Department  -Office of Emergency Management	-Administration and Regulatory Affairs  -Health and Human Services  - Parks and Recreation Department and Health Officer	-Public Works, Bureau of Street Services (BSS)  - Economic and Workforce Development Department	- Department of Health and Consumer Affairs	- Public Health Department	- Public Health Department  - Department of Licenses and Inspections	- Office of Transportation	- Department of Public Works	- Chief of Police	- Business License Department  - Police Department
Fees	- Application Fee: \$95 Yearly Permit Fee: \$650  - Parks: Concessions: Up to \$1,500/6-month Period.  - Parks: Services: \$50 Registration Fee  - Monthly payments in the amount of \$.45 per client per day for a maximum of \$1,500 for any 6-month period (more than three clients).  - Fire Department Inspection: \$125	- Mobile Desserts Vendor License Fee: \$275 (2 Years)  - Street Peddler \$100 Application Fee (2 Years)  \$50 for seniors, veterans or disabled  - As of September 24, 2015: Mobile Food Vendor (\$350 Fee) (2 Years)	- Permit Fee \$148.62 - Administrative Fee \$27.52 - Mobile Unit Medallion (all units) \$576.21 - Electronic Monitoring Fee (Unrestricted Conventional Units) \$237.87  Pre-Opening inspections (new units or new owners/per inspection) \$116.28  Plan checking fee (new or remodeled unrestricted units/per submission) \$36.98 LP Gas Permit \$185.00  Total paymemnt for a new medallion (new unit/new owner):  Unrestricted-Conventional \$930.36  Unrestricted-Fixed Location \$692.49  Restricted (all units) \$576.21	N/A	- Fees for Class A and B: \$100 Annual  - Restricted area permit for units where food is prepared or processed on site: \$200 (2 Years)  - Full-term or Restricted Area permit when food is prepackaged or does not involve preparation or processing on-site. \$50 (2 years)  - Seasonal Permits. \$35 April 1 – October 31  -Honorably discharged veterans: No fee. -  -Mobile Food Vendor Course: \$53  - Green Cart Permit Fee: \$75	Unknown	-Health Certificate: \$30  -Health Department Plan Review Fee: \$150  -Pre-operating Inspection Fee: \$190  -Retail Food Establishment/Non-permanent location license: \$150  -Commercial Activity License (no fee)  -Food License Push Cart Vendor License: \$300  -Sidewalk Vendor License: \$300	-Application Fee: \$60  Insurance Review Fee: \$15  Permit Fee: \$75 per year	Application Filing Fee: \$125  Notification Fee: \$200 Inspection Fee: \$383  Health Department: Plan Check Fee: \$271.50 to \$633.50  Tax License Fee: \$344	Permit Fee: \$240 (1 Year) Ice  Cream Permit: Five Years  - Vendor Business License Fee: \$50  - Permit Fee: \$25 or \$98	
Licensing Requirements	-City License  -County Health Department  -State Sales and Use Permit  -Liability Insurance  -Photos of the display area.	- Wear Photo Badge  -One helper allowed per cart  -Cart must have owner's name and address.  Hours Prohibited: 5 p.m. to 7 a.m.  -License required. Liability Insurance. Proposed Menu.	-City Business License  -State Sales and Use Tax Permit	N/A	A license is required for vendors to operate.  -Department of Consumer Affairs issues licenses for General Merchandise.  -Selling food on the street requires two types of authorizations:  -Food Vendor License Permit for Mobile Food Cart  -There are no caps on the number of licenses.  -Anyone vending from the permittee's unit is an employee and permittee must provide a valid Workers Compensation and Disability Insurance.	-Health Department Permit for Food Sales  -City Business License  -Operator's Permit	-Operation Eligibility Certificate  -License Eligibility Report  -Commercial Activity License is required for all businesses in Philadelphia.  -Food License  -Vendor License  -Federal Employer ID#  -City Tax Account #  State Sales and Use Tax	-Permits: Office of Transportation: Sidewalks  -Bureau of Parks and Recreation: Parks  -County Health Office  -Fire Bureau Inspection required.  -Bureau of Licenses Bureau of Development Services  -Consent from abutting business owners  -Site Plan Detailed Drawings	Application Maximum of 7 permits per applicant. Notification required of all buildings within 300 foot radius Notice of Hearing to be issued.	Application Business License Owner's Permit Operator's Permit Health Department Background Check Disclosure of all criminal convictions including ordinance violations and traffic offenses.	

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<b>Operating Requirements</b>	<p>-Unrestricted Pushcarts (Open) Hot dogs, sausages, frozen treats such as snow cones, or other foods approved by the Health Department.</p> <p>-Restricted Foods (Prepackaged)</p>		<p>-Street Vendor ( 7 day permit)</p> <p>-Mobile Food Unit/Unrestricted Fixed Location and Park Vendor Units - Cart must be no bigger than 8 feet long x 4 feet wide x 8 feet high.</p> <p>-Must be movable by one person when fully loaded.</p> <p>-May operate only at one location for the life of the permit/medallion.</p> <p>-That location must be a food establishment with a 3-compartment sink, a hand sink, and a cleaning area/mop sink and an active Food Permit, that serves as a unit's commissary.</p>	N/A				<p>Items must be vended from a regular size cart. Not lead to or cause congestion or blocking of pedestrian traffic on the sidewalk</p> <p>Short transaction to complete sale</p> <p>No undue noise or offensive odors.</p> <p>Be easily carried by pedestrians.</p> <p>Trash cans, pick up litter, no operation between midnight and 6:00 a.m.</p> <p>Design, materials and colors are to be well crafted and considerate of the immediate surroundings of the proposed installation</p> <p>Restrictions for umbrellas and canopies.</p>	<p>-Hours of Operation: 6:00 AM to 3 AM the following day.</p> <p>-Vending limited to three days per week.</p>	<p>Vending only from a pushcart. Max dimensions: 6' x 4' Operator must wear uniform. No artificial lighting. Refuse bin required. No noise devices. Ice Cream Carts: Stainless steel 46Lx31Hx22 Affixed City logo. Uniform required.</p>	<p>Cart should be clean and safe condition. Pushcart should display: Name, business name and permit number. Health Department permit number. Copy of vendor's permit on both sides. No vending between 1:00 am and 3 AM, on Saturday or Sunday, and specified holidays.</p>
<b>Placement Characteristics</b>	<p>-Vending site shall have usable space of 10 by 10 feet for stand, vendor and customers.</p> <p>-Vending stand shall not exceed 4 ft. W. by 5 ft. L.</p> <p>-Neat and orderly</p> <p>-No light source that could blind drivers.</p> <p>-Sidewalk area must be 16 feet wide.</p> <p>-Property sold must be owned by the owner.</p> <p>-Six feet wide pedestrian clear zone.</p> <p>-20 foot requirement between other vendors or customer</p>		<p>Street Vendor - The director shall issue to any street vendor a permit authorizing the street vendor to sell, exhibit for sale, offer for sale or exhibit for the purpose of taking orders for the sale thereof, goods or merchandise in the city after such street vendor has fully complied with all provisions of this article and paid the prescribed fee.</p> <p>Mobile Food Units/Ice Cream Tricycles and Push Carts - Frozen desserts may be sold upon the sidewalks from non-motorized push cart mobile food units. Each push cart mobile food unit must be operated pursuant to a medallion issued under section 20-37 of this Code....The provisions of this section do not authorize the operation of a push cart mobile food unit upon the sidewalks in a park as defined in article IX of chapter 32 of this Code or within the "theater/entertainment district," as defined in article XI of this chapter, unless any additional permits, concessions or licenses that are required for operation in those areas are also obtained in full compliance with the aforesaid articles.</p>	N/A	<p>Parks Piece Vendor must enter a separate agreement with the Parks Department through a competitive bidding process.</p> <p>Concessions are valid for five years.</p> <p>In 2011 price ranged from \$75 to \$225,000 per year depending on location. In 2011, 326 parks generated \$4.6 million in revenues of an average of \$14,110 per concession.</p> <p>Health department issues permits generated \$82 per permit. If Health Department were to institute a competitive bidding process for this food cart permits, it could increase revenues by \$41 million.</p>			<p>-100 away from restaurant, fruit stand or coffee shop (except with written consent).</p> <p>-Flower vendors 100 feet away flower shop.</p> <p>-Only one vending cart is allowed in an operating area.</p> <p>-Permit operating area is from midpoint of one block face to midpoint of the next block face.</p> <p>Sales Approved: food for immediate consumption fresh cut flowers inflated balloons shoe shines umbrellas</p>	<p>1,000 ft. from schools between 7:00 AM and 5 PM.</p> <p>750 ft. from specifically named schools.</p> <p>75 ft. radius around restaurants.</p>	<p>-Placement:50' from other cart</p> <p>-200' from school or church.</p> <p>-500' from Zoo 10' from intersection, driveway, entrance.</p> <p>-No stationary carts (except in Districts).</p> <p>-Hours: 9AM to 6 PM 9 AM to 8 PM (DLS) Cart</p> <p>-Dimensions 6ft. by 4 ft. Trash can. Ice</p> <p>-Cream Carts: Stainless steel, 46 in by 31 in. by 22 in.Evidence of</p>	<p>10' from business, doors, driveways, exits.</p> <p>10' from any bus stop.</p> <p>10' from street corner or crosswalk.</p> <p>35' of any other vendor. No vending in a manner that blocks free movement of pedestrians. No vending on beaches or parkways. Receipts should be issued upon request.</p>

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<b>Health Requirements</b>	Food sales require Health Department Permit. \$60 Restricted or Unrestricted Permit Fee	Food sales require Health Department Permit.	Mobile Food Unit/Ice Cream Tricycles and Push Carts - A person may sell frozen desserts from sanitary vehicles approved and licensed by the health officer pursuant to this Code, and such other refrigerated vehicles from which are sold or dispensed frozen dessert products that are fully wrapped, enclosed and contained in individual wrappers or containers, provided that such vehicles shall be operated and maintained in full compliance with the health, food, drug and sanitary provisions of this Code and the applicable statutes of the state	County Health Department requires health permit for food vending.	Food sales require Health Department Permit. Commissary Requirements: All units except those selling pre-packaged food and Green Carts	Food sales require Health Department Permit.	Food sales require Health Department Permit.	Food sales require Health Department Permit.	Food sales require Health Department Permit.	Food sales require Health Department Permit.	Food sales require Health Department Permit.
<b>Vending Permit Cap</b>	Unknown		One permit per park		General Merchandise: 853 (waiting list of thousands) No cap for veterans. 3,100 Permits Citywide (2 years) 100 Full-Term for disabled persons. (2 Years) 200 Borough- Specific 50 Per Borough (except Manhattan) 1,000 Season Citywide 1,000 Green Cart. Most of the authorized permits have already been issued and there are long waiting lists in place for each category. Green Carts: Fresh whole fruit and vegetables. License and Green Cart permit are required. Green Carts only permitted in one Borough (in designated areas). 1,000 Total Permits: Brooklyn 350 Bronx 350 Manhattan 150 Queens 100 Staten Island 50	Permits are issued annually on a first-come, first-served basis. A minimum of 30 push cart permits shall be issued annually. The maximum number of permits shall be determined by the Health Department based on staff availability.				Number of permits outside the districts shall not exceed: 178. Civic Center District: 9 Downtown District: 13 Ice Cream Permits: 120	
<b>Mobile Food Vending Classifications</b>	Unknown		Mobile Food Unit /Conventional Unrestricted Units Mobile Food Unit/Ice Cream Tricycles and Push Carts Mobile Food Unit/Unrestricted Fixed Location and Park Vendor Units		Criteria: • Kind of Operation • Kind of Food • Prepacked or Not Class A: Prepare and process raw potentially hazardous food. Class B: Prepare and process potentially hazardous foods that are manufactured or pre-cooked. Class C: Serve only intact, prepackaged potentially hazardous foods requiring temperature control for safety. Class D: Serve only non-potentially hazardous packaged or unpackaged foods that do not require temperature control. Class E: Green Carts						
<b>Enforcement</b>	-All vending must comply with the rules and regulations of the City of Austin.  - Any violation is classified as Class C misdemeanor which is punishable up to \$500 in fine.	Violation of any provision Fine: \$50-\$200 Noise level or furnishing false information is subject to: \$300 fine for first offense or \$500 for subsequent violations.	Street Vendor - a fine of not less than \$250.00 nor more than \$500.00. Upon conviction of a violation of any provision of article II of Chapter 22, by a fine of not less than \$50.00 nor more than \$500.00. Each violation shall constitute and be punishable as a separate offense.	Bureau of Street Services Police Department	Enforcement Agency: Police Manhattan: 38 uniformed officers: 33 Police Officers, Four Sergeants and 1 Lieutenant. In the rest of the City, enforcement is part of routine patrols. In addition to police enforcement, health department staff attempt to make annual inspection of each of the food carts (in addition to initial inspection). Health inspectors issue violations. Environmental Control Board hears vendor's disputes and levies fines related to infractions.	Enforcement is carried out by Health Department and occasionally by Police Department on a complaint-driven basis.	Violations related to unlicensed sale of goods or services on the sidewalk: \$300	City Engineer may suspend or revoke or deny issuance of renewal of a permit.Appeal to Council within 10 days.Any person violating any provisions may be punished by a fine not to exceed \$500 or byimprisonment for up to 6 months.		Pushcart may be impounded by Police or any other enforcement agency in the course of an arrest for violations. Permit may be suspended or revoked (1 Year). Appeal to City Council.	Violations may result in an infraction punishable by a fine not to exceed \$250 per violation. Violation of not having a permit may result in a misdemeanor and fine not to exceed \$1,000.

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Location	<p>-Vending on permanent locations on City right of way.</p> <p>-No Vending Zones: Austin Convention Center Palmer Events Center Long Center for the Performing Arts Frank Erwin Center</p> <p>-All Austin park land (separate permit required) Capitol Grounds and other state-controlled property Commercial Use of Parkland permit, policy and fees for regularly scheduled fitness activity (dog training, yoga, fitness groups.)</p>	<p>-Peddlers may not peddle within 1,000 feet of Wrigley Field; must be mobile.</p> <p>-Certain areas of the City have been designated as "no Peddling Zones"</p> <p>-Specific restrictions for certain areas of the City.</p> <p>-Vending prohibited in certain districts and near certain locations like Wrigley Field.</p> <p>-No vending in Medical Center District.</p>	<p>Street Vendor - Occupy Space in a Building or Vacant Lot or Vehicles on the Streets all approved by the City of Houston</p> <p>Mobile Food Unit/Ice Cream Tricycles and Push Carts -</p> <p>-Packaged frozen desserts (popsicles and ice-cream bars) may be displayed and sold on sidewalks from push carts.</p> <p>-No other foods may be sold on street or sidewalk in Houston</p>	N/A	<p>•Restricted by Streets</p> <p>• Restricted Area permits allows vending on private property with the owner's permission (no waiting list)</p> <p>• Authorization needed from Parks Department when location is desired in park.</p>	<p>Push cart vending shall be permitted on public walkways in residential areas only for no more than five minutes in a single location.</p> <p>Push cart vending permitted in a public park for no more than four hours in one location (provided another entity has not secured a permit for concessions).</p> <p>If push cart is moved, it must move beyond 500 feet</p> <p>Vending prohibited in specified areas such as parks, Civic Center, or libraries.</p>	<p>Prohibited in designated streets</p> <p>Prohibited in certain areas</p> <p>Limited vending in Special Vending Districts</p>	<p>Vending allowed only in commercial zones.</p> <p>Vending limited to specific locations. Roaming is prohibited.</p>	<p>Director may suspend or revoke permit.</p> <p>Criminal Penalties: Violators shall be subject to an infraction and a fine.</p> <p>Civil Penalties: Administrative Penalties: \$1,000 per day per violation If violation not corrected: \$5,000 per day per violation</p> <p>Good Neighbor Policy: Noise level, safety and cleanliness.</p> <p>Hold Harmless Clause included.</p>		
Special Provisions	<p>Notification of adjacent businesses.</p> <p>Process in place for mobile vending on private property.</p>	<p>A Street Peddler is a person who moves from place to place, whether on private property or on the public way, selling goods, wares, merchandise, wood, fruits and/or vegetables which are whole and uncut. Flowers, floral bouquets, growing plants, and selling food is prohibited.</p>	<p>Street Vendor permits are issued to specific people for specific locations and for the following hours of operation: 8am-8pm</p> <p>Street Vendor - The application must be accompanied by: (1) a notarized statement of consent from property owner (or authorized agent) of the specific location where the vendor will sell the merchandise. (2) a copy of the applicant's Texas sales and uses tax permit, (3) a true and correct statement showing the kind and character of the goods and merchandise which will be exhibited or sold, (4) A certified copy of the Charter of the concern represented, and (5) a certified copy of the permit of the concern to do business. Obtain a \$10,000 surety bond.</p> <p>Mobile Food Units/Unrestricted Fixed Location and Park Vendor Units - The cart must be stored inside the cleaning area. (Cart must pass into building and into cleaning area. Unless all food served is pre-packaged and labeled at an approved commissary, the cart must have a 2- or 3-compartment sink (big enough to immerse the largest utensil on unit) and a separate hand sink. (see plans checklist for fixed</p>		<p>-Provision that prohibits the use of a mobile food vending unit pushcart or truck for sleeping or other residential purposes.</p> <p>-Requires permit-holders, not operators, to appear with cart for inspections.</p> <p>-In 1995, the City Council created the four-member Street Vendor Review Panel to hear proposals on whether vending should be banned in certain blocks. Panel has not met in nearly a decade.</p> <p>New York incurs fees for: Issuing permits and licenses, Inspecting food carts, and enforcing regulations. 2009 Expenditures \$7.4 Million</p> <p>Largest single cost: Enforcement of Manhattan at \$4.5 Million</p> <p>Consumer Affairs: \$65,000 per year on personnel costs for issuing permits.</p>	<p>In FY 2012-13, the City made a funding allocation of \$63,000 to IDEPSCA for the Pasadena Street Vendors Program.</p>	<p>Businesses that sell only prepackaged, non-hazardous foods and whole produce are exempt from food safety certification but must still go through plan review.</p> <p>1. Operation Eligibility Certificate (lists all foods eligible to sell) 2. License Eligibility Report - certifies vendor to obtain license within 30 days.</p>	<p>-Pre-approved permitted items: Food and beverages for immediate consumption. Fresh cut flowers, inflated balloons, jewelry, maps, shoe shining, and umbrellas.</p> <p>-Other items must be submitted for approval.</p>	<p>-No vending in: Residential areas, Twin Peaks, Sidewalk or Street adjacent to parks Sidewalk under Jurisdiction of Caltrans AT&amp;T Park two hours before and two hours after events.</p>	<p>Vending on sidewalks only from a pushcart.</p> <p>-Separate Permit required for vending in the Civic Center District and the Downtown District.</p>	<p>Revenues: \$22,00 in FY 2013-14 and 2014-15</p>

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